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Travis County DA Civil Rights Unit Case Summaries – January 29, 2021

The following is a current list of each officer-involved use of force or other misconduct matter involving injury to any person currently pending in the Office's Civil Rights Unit.

INDICTED CASES

INDICTED: STATE OF TEXAS VS MARCUS REED, D-1-DC-19-904028, D-1-DC-19-904030, D-1-DC-19-900065: At the time of the incident, Mr. Reed, then a licensed peace officer, was employed as an Investigator with the Austin Fire Department. Mr. Reed was indicted and charged with the commission of Sexual Assault, Official Oppression, and Aggravated Perjury. Mr. Reed's case was tried on August 12, 2019 in the 167th District Court and the jury returned a guilty verdict on the Aggravated Perjury charge. The jury was unable to reach a verdict on the Sexual Assault and Official Oppression charges and the judge declared a mistrial on both charges. The retrial of the Sexual Assault and Official Oppression charges is set for January 25, 2021 in the 167th District Court.

Mr. Reed also has a pending Indecency with a Child by Sexual Contact case, which was indicted on June 7, 2019. This case is also scheduled for jury trial on January 25, 2021 in the 167th District Court. Mr. Reed is alleged to have engaged in sexual contact with a child younger than 17 years of age.

The next court setting is February 22, 2021.

INDICTED: STATE OF TEXAS VS NATHANIEL STALLINGS, D-1-DC-19-904051, D-1-DC-19-904052: At the time of the incident, Mr. Stallings, then a licensed peace officer, was employed as a police officer with the Austin Police Department. On October 6, 2017, while on duty and in uniform in a fully marked Austin Police Department patrol vehicle, Mr. Stallings is alleged to have caused bodily injury to a civilian. Mr. Stallings was indicted on June 25, 2018 and charged with Assault and Abuse of Official Capacity. Both cases are pending a jury trial on April 19, 2021 in the 450th District Court.

This next court setting is April 19, 2021

INDICTED: STATE OF TEXAS VS LANDO HALL, D-1-DC-19-900105: At the time of the incident, Mr. Hall was employed as a police officer with the Austin Police Department. On Monday, January 4, 2021, APD Officer Lando Hall was indicted for the felony offense of Misuse of Official Information, a third-degree felony under Section 39.06(b) of the Texas Penal Code by the 147th Special Grand Jury – Extended July 2020 term. The case is pending in the 403rd Judicial District Court.

The next court setting is February 24, 2021

INDICTED: STATE OF TEXAS VS. SHANNON OWENS, D-1-DC-20-90003: At the time of the incident, Mr. Owens was employed as a corrections officer with the Travis County Sheriff's Office. On Wednesday, December 16, 2020, TCSO Deputy Owens was indicted with Aggravated Perjury, a third-degree felony, and Tampering with Governmental Record with the intent to defraud or harm another, a state jail felony by the 147th Special Grand Jury. The case is pending in the 450th District Court.

The next court setting is February 5, 2021.

INDICTED: STATE OF TEXAS VS. CHANCE BRETCHES, D-1-DC-20-900091: At the time of the incident, Mr. Bretches was employed as a police officer with the Austin Police Department. On Wednesday, January 20, 2021, Officer Bretches was indicted with Aggravated Assault by a Public Servant, Serious Bodily Injury/Deadly Weapon, a first-degree felony by the extended 147th Extended Special Grand Jury. The case is pending in the 299th District Court.

The next court setting is March 18, 2021.

INDICTED: STATE OF TEXAS VS. GREGORY GENTRY, D-1-DC-20-900092: At the time of the incident, Mr. Gentry was employed as a police officer with the Austin Police Department. On Wednesday, January 20, 2021, Officer Gentry was indicted with Aggravated Assault by a Public Servant, Serious Bodily Injury/Deadly Weapon, a first-degree felony by the extended 147th Extended Special Grand Jury. The case is pending in the 299th District Court.

The next court setting is March 18, 2021.

INDICTED: STATE OF TEXAS VS. AUSTIN JOHNSTON, D-1-DC-19-900021: At the time of the incident, Mr. Johnston was employed as a trooper with the Department of Public Safety. On Friday, August 21, 2020, Trooper Johnston was indicted with Aggravated Assault by Public, a first-degree felony, Deadly Conduct, third-degree felony and Tampering with Physical Evidence, third-degree felony by the 460th Extended Grand Jury. The case is pending in the 390th District Court.

The next court setting is February 26, 2021.

***Note:** Due to COVID-19 restrictions there are currently no criminal jury trials in Travis County.*

UNINDICTED

DECEDENT: AQUINTIS GRIFFIN/SUBJECT OFFICERS: ALBERT MARTINEZ; CHRISTOPHER SALACKI; DANIEL MATHIS; JOSEPH CAST; JOSEPH MORAN; JUSTIN HALBACH; LEWIS HOLLAND; STEPHEN JOHNSON & WESLEY DEVRIES (Date of Incident: 08/18/2018): Mr. Aquantis Griffin died as a result of multiple gunshot wounds fired by Austin Police Department officers on August 18, 2018.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: ISAIAH HUTCHINSON SUBJECT OFFICERS: DANE O'NEIL, ZACHARY WOODS, DEANDRE WRIGHT, TREY NELSON (Date of Incident: 03/17/2019): On March 17, 2019, Mr. Hutchinson died from multiple gunshot wounds fired by four Austin Police Department officers assigned to various units working downtown during the South by Southwest Festival.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: JAVIER AMBLER / SUBJECT OFFICERS: MICHAEL NISSEN, JAMES JOHNSON, ZACHARY CAMDEN, PATRICK NELSON (Date of Incident: 03/28/2019): Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March of this year.

DECEDENT: JAVIER AMBLER / SUBJECT OFFICERS: ROBERT CHODY, JASSON NASSOUR (Date of Incident: 03/28/2019): Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March of this year.

COMPLAINANT: GIORGIO TAYLOR / SUBJECT OFFICER: SHANNON OWENS (Date of Incident: 04/22/2019): At the time of the incident, Mr. Owens was a licensed corrections officer with the Travis County Sheriff's Office. On April 22, 2019, while on duty and in uniform, Mr. Owens is alleged to have presented a false sworn affidavit for warrant of arrest and detention. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March of this year.

DECEDENT: CARLOS DODERO / SUBJECT OFFICERS: HUGH BUTLER, WILLIAM BERTELSON (Date of Incident: 04/28/2019): Mr. Carlos Dodero died as a result of multiple gunshot wounds fired by the Austin Police Department on April 28, 2019. At the time of the shooting incident, the Austin Police Department responded to multiple calls to 911 for a disturbance occurring on the Pennybacker Bridge.

The case is currently under investigation in a joint investigation conducted by the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: MAURIS DESILVA / SUBJECT OFFICERS: CHRISTOPHER TAYLOR, KARL KRYCIA (Date of Incident: 07/31/2019): Mr. DeSilva died from multiple gunshot wounds fired by two Austin Police Department officers on July 31, 2019.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: TYLER GRIST / SUBJECT OFFICERS: OSVALDO HERNANDEZ, RICHARD MARTINEZ, ALEXANDER ANTILLON, ANTHONY CARDINAL, ANTONIO SERNA (Date of

Incident: 08/31/2019): Mr. Tyler Grist's death occurred while in custody in the Travis County jail on unrelated charges. Mr. Grist was found unconscious by Travis County Sheriff's Office's staff. The case is currently under investigation in a joint investigation conducted by the Travis County Sheriff's Office, Texas Department of Public Safety, and the Travis County District Attorney Office's Civil Rights Unit.

DECEDENT: FRED BABCOCK / SUBJECT OFFICER: MATTHEW HARMATUK (Date of Incident: 09/22/2019): Mr. Fred Babcock died as a result of a gunshot wound fired by the Austin Police Department on September 22, 2019.

The case is currently under investigation in a joint investigation conducted by the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence.

We expect that this case will be presented to a grand jury in early fall 2021.

DECEDENT: ENRIQUE QUIROZ / SUBJECT OFFICERS: EDUARDO PINEDA, SPENCER HANNA, ZANE DOWDELL, LUCAS PARKER, MARK YALETCHKO and TRINITHAD GARCIA (Date of Incident: 03/21/2020): Mr. Quiroz died while in custody of the Austin Police Department after an encounter with multiple officers on March 31, 2020.

We expect that this case will be presented to a grand jury in early fall 2021.

COMPLAINANT: F. ZIMMERMAN (Pseudonym) / SUBJECT OFFICER: WALTER DODDS (Date of Incident: 04/18/2020): On April 18, 2020, while responding to a service call involving Ms. Zimmerman, Mr. Dodds, then an Austin Police Department officer encountered Ms. Zimmerman and is alleged to have later returned to her residence and alleged to have sexually assaulted her.

This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March.

DECEDENT: MICHAEL RAMOS / SUBJECT OFFICERS: CHRISTOPHER TAYLOR, MITCHELL PIEPER (Date of Incident: 04/24/2020): Mr. Michael Ramos died as a result of multiple gunshot wounds fired by an Austin Police Department officer on April 24, 2020.

The case is currently under investigation in a joint investigation conducted by the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March.

COMPLAINANT: NAME WITHHELD DUE TO BEING A MINOR / SUBJECT OFFICERS: NICHOLAS GEBHART (Date of Incident: 05/30/2020): On May 30, 2020, Complainant, a Minor, was attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos that occurred in downtown Austin and was struck with "bean bag" ammunition and "rubber bullets".

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: BOMANI RAY BARTON / SUBJECT OFFICER: KYU AN (Date of Incident: 05/30/2020): On May 31, 2020, Mr. Barton, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck with "bean bag" ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: GEMICAH VOLTER-JONES / SUBJECT OFFICER: DERRICK LEHMAN (Date of Incident: 5/30/2020): On May 30, 2020, Mr. Volter-Jones, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: MEREDITH WILLIAMS / SUBJECT OFFICER: JOSEPH CAST (Date of Incident: 5/30/2020): On May 30, 2020, Ms. Williams, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: NICOLE UNDERWOOD / SUBJECT OFFICER: JOHN SIEGEL (Date of Incident: 5/30/2020): On May 30, 2020, Mr. Underwood, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: MEREDITH DRAKE / SUBJECT OFFICER: CHANCE BRETCHES (Date of Incident: 05/31/2020): On May 31, 2020, Mr. Drake, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition. Officer Bretches was indicted on 1/20/2021 on Aggravated Assault by Public Servant on an unrelated case.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: ANTHONY EVANS / SUBJECT OFFICER: KYLE FELTON (Date of Incident: 05/31/2020): On May 31, 2020, Mr. Evans, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: JUSTIN HOWELL / SUBJECT OFFICER: JEFFREY TENG (Date of Incident: 5/31/2020): On May 31, 2020, Mr. Howell, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: SAMUEL KIRSCH / SUBJECT OFFICER: NOT IDENTIFIED (Date of Incident: 5/31/2020): On May 31, 2020, Mr. Kirsch, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: CHRISTEN WARKOCZEWSKI / SUBJECT OFFICERS: JUSTIN BERRY; ALEXANDER LOMOSTEV, TODD GIBLERTSON, STANLEY VICK, CHRISTIAN IRWIN, JEREMY FISHER & JOSHUA JACKSON (Date of Incident: 5/31/2020): On May 31, 2020, Ms. Williams, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: DYLAN POLINSKI / SUBJECT INVOLVED OFFICERS: NOT IDENTIFIED (Date of Incident: 01/04/2021): On January 4, 2021, during an attempt to take Mr. Dylan Polinski into custody, Mr. Polinski was shot by one Austin Police Department officer and “tased” with a conducted electrical weapon, commonly known as a “TASER”.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early fall of 2021.

DECEDENT: ALEXANDER GONZALEZ / SUBJECT OFFICER: LUIS SERRATO (Date of Incident: 01/05/2021): On January 5, 2021, Mr. Alexander Gonzalez died as a result of multiple gunshot wounds in an incident involving an off-duty Austin Police Department officer and another officer who was on duty, both of whom discharged their weapons striking Mr. Gonzalez.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early fall of 2021.